

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1077 be amended to read as follows:

- 1 Page 2, line 8, delete "for use in the design, development,
- 2 manufacture," and insert "; or".
- 3 Page 2, delete line 9.
- 4 Page 2, line 10, delete "to design, develop," and insert ".".
- 5 Page 2, delete line 11.
- 6 Page 2, line 16, delete "manufactured by a special tool" and insert
- 7 **"used in the design, development, manufacture, assembly or**
- 8 **fabrication of parts."**
- 9 Page 2, delete line 17.
- 10 Page 4, line 29, delete "If" and insert **"The proceeds of"**.
- 11 Page 4, line 30, delete "is for a sum greater than the amount of the
- 12 lien:" and insert **"shall be paid as follows:"**.
- 13 Page 4, line 31, after "(1)" delete "the" and insert **"The"**.
- 14 Page 4, line 33, delete ";" and insert ".".
- 15 Page 4, line 34, delete "any" and insert **"Any"**.
- 16 Page 4, line 37, delete ";" and insert ".".
- 17 Page 4, line 38, delete "any" and insert **"Any"**.
- 18 Page 4, line 42, delete "may permanently record on" and insert **"has**
- 19 **an unperfected purchase money security interest under IC 26-1-9.1**
- 20 **on a"**.
- 21 Page 5, line 1, delete "every".
- 22 Page 5, line 2, delete "the special tool builder's name and address."
- 23 and insert ".".
- 24 Page 5, delete lines 3 through 26, begin a new paragraph and insert:

1 **"(b) The amount of the lien is the amount that a customer or end**
 2 **user owes the special tool builder for the fabrication, repair, or**
 3 **modification of the special tool.**

4 **(c) A special tool builder may perfect its purchase money**
 5 **security interest in a special tool by filing a financing statement in**
 6 **accordance with IC 26-1-9.1-317(e)."**

7 Page 6, line 12, delete "sell" and insert **"enforce its security**
 8 **interest in"**.

9 Page 6, line 13, delete "a lien is claimed" and insert **"the special**
 10 **tool builder claims a security interest under this chapter"**.

11 Page 6, line 16, delete "under".

12 Page 6, line 17, delete "IC 26-1-9.1-501 through IC 26-1-9.1-527,".

13 Page 7, delete lines 4 through 9, begin a new paragraph and insert:

14 **"Sec. 15. (a) The proceeds of a sale of a special tool under section**
 15 **13 of this chapter shall be paid as follows:**

16 **(1) The proceeds shall be paid first to the prior lienholder who**
 17 **has a perfected lien in an amount sufficient to satisfy the**
 18 **lienholder's interest.**

19 **(2) Any remainder after payment is made under subdivision**
 20 **(1) shall be paid to the special tool builder who possesses a lien**
 21 **under this chapter in an amount sufficient to extinguish that**
 22 **interest.**

23 **(3) Any remainder after payment is made under subdivision**
 24 **(2) shall be paid to the customer."**

(Reference is to HB 1077 as printed February 18, 2009.)

Representative Cheatham